

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

AMERIS BANK, a Georgia state-
chartered banking corporation, doing
business as BALBOA CAPITAL
CORPORATION,

Plaintiff,

vs.

EVERLAST INVESTMENTS GROUP
LLC, a Michigan limited liability
company; DEREK CORTEZ ALLEN,
an individual,

Defendants.

Case No. 8:24-cv-00578-DOC-JDE
[Assigned to the Hon. David O. Carter]

JUDGMENT

Complaint Filed: March 19, 2024
Trial Date: None

JUDGMENT

Pursuant to plaintiff Ameris Bank, a Georgia state-chartered banking corporation, doing business as Balboa Capital Corporation’s (“Balboa”) Motion for Default Judgment (“Default Motion”), and pursuant to Federal Rules of Civil Procedure Rule 55(b)(2), and good cause appearing, therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Judgment be entered in this matter, in favor of Balboa, and against defendants Everlast Investments Group LLC (“Everlast”) and Derek Cortez Allen (“Allen”) (collectively, with Everlast, “Defendants”), jointly and severally, in the total amount of **\$82,879.13**; which is a sum of the following:
 - a. Compensatory damages in the amount owed of \$75,013.90, on the Settlement Agreement (the “Settlement”);
 - b. Attorneys’ fees in the amount of \$4,514.50 on the Settlement;
 - c. Prejudgment interest in the amount of \$2,600.73, at the statutory rate of ten percent (10%) per annum, from August 16, 2024 (the date of breach), to December 4, 2024 (the date of filing the Stipulation), on the Settlement; and
 - d. Costs in the amount of \$750.00.
2. The Clerk is ordered to enter this Judgment forthwith.

DATED: December 5, 2024

David O. Carter

HON. DAVID O. CARTER
US DISTRICT JUDGE

CC: FISCAL